

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	No. CR19-189 JLR
)	
Plaintiff,)	
)	
v.)	ORDER GRANTING MOTION TO
)	SCHEDULE REMOTE PLEA
JONATHAN MAREK,)	HEARING
)	
Defendants.)	

THE COURT, having considered Jonathan Marek's unopposed motion to proceed with guilty plea hearing by video or telephonic hearing, along with all the records and files in this case, makes the following findings and GRANTS Mr. Marek's motion.

THE COURT FINDS that a video or telephonic guilty plea hearing should take place as soon as practical because further delays in this case would cause "serious harm to the interests of justice." *See* General Order No. 04-20 (3/30/20); *see also* CARES Act § 15002(b)(4). Specifically, Mr. Marek has been in custody since his arrest on July 9, 2019, and, after a defense request for a continuance, his trial was scheduled for April

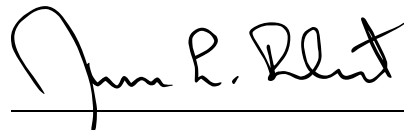
1 27, 2020. Dkt. 17. His trial date was vacated when COVID-19 pandemic required
2 closure of the Seattle and Tacoma courthouses. *See* Dkt. 20, 22, 24; *see also* GO 01-20;
3 04-20; 07-20; 08-20; 14-20. Per General Order No. 15-20 (10/2/20), only one criminal
4 trial may occur in the Seattle courthouse, per week. Even though Mr. Marek's case has
5 been prioritized due to its age and his custody status, the Court anticipates that the case
6 would not be able to proceed to trial before January 11, 2020. It is unknown when
7 other in-person plea and sentencing hearings will resume at the Seattle and Tacoma
8 courthouses.
9

10 Mr. Marek is currently in custody at the Federal Detention Center in SeaTac,
11 which is generally considered a shorter-term BOP facility. Mr. Marek must be
12 sentenced in this matter before the Bureau of Prisons (BOP) can consider his transfer to
13 a longer-term BOP facility with a broader array of services and programming.
14

15 For the foregoing reasons, and incorporating the Court's findings at the status
16 conference held on October 13, 2020, the Court GRANTS Mr. Marek's motion and
17 ORDERS that a guilty plea hearing be scheduled by videoconference. The parties are
18 directed to contact the magistrate clerks to schedule the videoconference plea hearing.
19

20 IT IS SO ORDERED.
21

22 DATED this 15th of October, 2020.
23

24 
25

26 The Honorable James L. Robart
U.S. District Court Judge